

## REMARKS/ARGUMENTS

Claims 1-20 are pending. Claims 1, 6, 11, and 16 have been amended. No claims are added, canceled, or withdrawn. Accordingly, claims 1-20 remain pending. Withdrawal of the outstanding rejections to the pending claims is respectfully requested in view of the following remarks.

### Claim Amendments

Claims 1, 6, 11, and 16 have been amended. These claim amendments do not add any feature which the Office is not already had the opportunity to examine. For example, these claims were amended to change "and/or" to "and." Thus, these claim amendments do not necessitate a new search on part of the office.

### 35 USC §103(a) Rejections

Claims 1-20 stand rejected under 35 USC 103(a) as being unpatentable over US patent application serial number 6,836,786 to Zoller et al. ("Zoller") in view of US patent publication number 2003/0217166 to Dal Canto et al ("Dal Canto"). However, according to the MPEP § 2146, "[e]ffective November 29, 1999, 35 U.S.C. 103(c) provides that subject matter developed by another which qualifies as "prior art" only under one or more of subsections 35 U.S.C. 102(e), (f) and (g) is not to be considered when determining whether an invention sought to be patented is obvious under 35 U.S.C. 103, provided the subject matter and the claimed invention were commonly owned at the time the invention was made."

Zoller qualifies as prior art under 35 USC 102(e). Additionally, the subject matter of the pending claims and the subject matter of Zoller were commonly owned or

subject to assignment at the time the invention was made. In view of this, *Zoller* is not to be considered when determining whether claims 1-20 are obvious under 35 USC 103.

Withdrawal of the 35 USC §103(a) rejections of claims 1-20 is requested.

**Conclusion**

Should any issue remain that prevents allowance of the application, the Office is encouraged to contact the undersigned prior or issuance of a subsequent Office action.

Respectfully Submitted,

Dated: September 24, 2007

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